

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Rule making related to logo signing

The Department of Transportation hereby amends Chapter 118, “Logo Signing,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 306C.11 and 307.12.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 306C.11.

Purpose and Summary

This rule making adds a definition of “ramp” to aid in the comprehensibility of the three types of signs (mainline, ramp and trailblazing) involved in the logo program, corrects the name of the Traffic and Safety Bureau, lowers the qualifying standards for restaurants, and expands the attraction category to allow event stadiums to qualify for logo signing. The following paragraphs further explain the amendments to Chapter 118.

These amendments reduce the required minimum hours of operation for food service businesses to qualify for logo signing from 48 hours to 40 hours per week. While most food service businesses exceed the current required minimum hours of operation, some smaller businesses in rural areas may benefit from having the minimum qualifying threshold reduced. Motorists are generally accustomed to checking mobile devices for restaurant information before traveling too far off the main highway to a restaurant that is unfamiliar to them.

Additionally, these amendments reduce the minimum number of meals required per day from three to two for food service businesses to qualify for logo signing. Although the primary purpose of the signing program is to provide helpful and reliable motorist service information, most travelers recognize that certain types of restaurants (pizzerias, steakhouses and pubs) may not be open for breakfast, while others (coffee houses and bakeries) may not be open for evening meal service. Furthermore, the use of mobile devices and vehicle-equipped intelligent systems has increased, allowing for instant access to current information about businesses. Aside from these factors, the existing service panels already display a mix of business signs for two- and three-meals-per-day providers due to the availability of the current exceptions within paragraph 118.4(4)“b” and subparagraphs 118.4(11)“a”(4) and 118.4(11)“d”(1) for the two-meal-per-day providers. These amendments eliminate these exceptions because they will be no longer necessary.

Finally, these amendments expand the provision for racetracks within the “attractions” category to include stadiums, coliseums and arenas, provided the seating capacity is at least 5,000. There are times when effective signing options for major event venues are needed, and these facilities often generate significant traffic volumes during events.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on December 16, 2020, as **ARC 5314C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on February 9, 2021.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the person's circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on April 14, 2021.

The following rule-making actions are adopted:

ITEM 1. Adopt the following new definition of "Ramp" in rule **761—118.2(306C)**:

"Ramp" means the exit lane which carries decelerating traffic away from the mainline of an interstate or a freeway-primary highway.

ITEM 2. Amend subrule 118.4(4) as follows:

118.4(4) Food.

a. Qualifications. To qualify for placement of a business sign on a food specific service sign, the business must:

(1) No change.

(2) Operate a minimum of ~~eight~~ 40 hours per ~~day~~ week, six days per week, and serve ~~three~~ at least two of the following meals per day: breakfast, lunch, ~~and~~ or dinner.

1. to 3. No change.

(3) to (5) No change.

~~*b. Exceptions.* A business that serves only two meals per day may be granted an exception, in accordance with subrule 118.4(11), from the requirement to serve three meals per day.~~

c. Seasonal operations. Food service may be operated seasonally. See subrule 118.5(7) for the fee options for seasonal operations.

ITEM 3. Amend subparagraph **118.4(7)“a”(5)** as follows:

(5) Maintain normal business hours at least five days per week, totaling at least 40 hours per week.

~~Racetracks~~ Facilities listed in subparagraph 118.4(7)“c”(12) are excepted from this requirement.

ITEM 4. Amend subparagraph **118.4(7)“c”(12)** as follows:

(12) ~~Racetrack for horses, dogs, or motorized vehicles~~ Stadium, coliseum, arena or racetrack with a seating capacity of at least 5,000.

ITEM 5. Rescind subparagraph **118.4(11)“a”(4)**.

ITEM 6. Amend paragraph **118.4(11)“d”** as follows:

d. After the five-year period has expired and at the end of the fiscal year, the department may remove the business sign from the specific service sign if:

(1) An exception was granted for maximum distance from the exit, ~~number of meals served~~ or a card-operated fueling station; an application has been received from a qualified business providing the same type of motorist service as the business granted the exception; and space is not available on that specific service sign.

(2) No change.

ITEM 7. Amend paragraph **118.5(1)“a”** as follows:

a. A business requesting placement of a business sign upon a mainline specific service sign shall submit a completed application form, provided by the department, along with the application fee, to the Advertising Management Section, ~~Office of Traffic and Safety Bureau~~, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

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